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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 12460 of 2004

Between:

1 Smt. K. Ragamma W/o. Potharaju
Janardhan Colony, Kandukur, Prakasam District.
2 Tanneru Malakondai8ah S/o. Pitchaiah
Janardhan Colony, Kandukur, Prakasam District.
3 Ethadi Esaki S/o. Yakob
Janardhan Colony, Kandukur, Prakasam District.
4 Tanneru Venkaiah S/o. Nagaiah
Janardhan Colony, Kandukur, Prakasam District.
5 Tanneru Prasad S/o. Venkaiah
Janardhan Colony, Kandukur, Prakasam District.
6 Malli Venkateshwarlu S/o. ankaiah
Janardhan Colony, Kandukur, Prakasam District.
7 T. malyadri S/o. Pitchaiah
Janardhan Colony, Kandukur, Prakasam District.
8 T. S;uneetha W/o. Raju
Janardhan Colony, Kandukur, Prakasam District.
9 T. Sujatha W/o. Ankam Raju,
Janardhan Colony, Kandukur, Prakasam District.
10 t. Kotaiah W/o. Pitchaiah
Janardhan Colony, Kandukur, Prakasam District.
11 Gangolu Malyadri S/o. Adeiah
Janardhan Colony, Kandukur, Prakasam District.
12 Pallapu Revathi W/o. Mallikarjuna
Janardhan Colony, Kandukur, Prakasam District.
13 Bathula Venkateshwarlu S/o. Laxmaiah
Janardhan Colony, Kandukur, Prakasam District.
14 T. Murali S/o. Kondaiah
Janardhan Colony, Kandukur, Prakasam District.
15 Pallapu Malkondaiah S/o. Narasimham
Janardhan Colony, Kandukur, Prakasam District.
16 Pallapu Raju S/o. Malakondaiah
Janardhan Colony, Kandukur, Prakasam District.

17 T. Kondala Rao S/o. Venkaiah
Janardhan Colony, Kandukur, Prakasam District.
18 Yanamala Malyadri S/o. Kondaiah
Janardhan Colony, Kandukur, Prakasam District.
19 Yanamala Narasimham S/o. Kondaiah
Janardhan Colony, Kandukur, Prakasam District.
20 Pallapu Narasimham S/o. Rajaiah
Janardhan Colony, Kandukur, Prakasam District.
21 Pallapu Malyadri S/o. Narasimham
Janardhan Colony, Kandukur, Prakasam District.
22 Pallapu Narasingh Rao S/o. Narasimha
Janardhan Colony, Kandukur, Prakasam District.
23 T. Srinivasulu S/o. Kondaiah
Janardhan Colony, Kandukur, Prakasam District.
24 Adapa Nagaraju S/o. Venkat Subbaiah
Janardhan Colony, Kandukur, Prakasam District.
25 Adapa Ramarao S/o. Venkata Subbaiah
Janardhan Colony, Kandukur, Prakasam District.
26 Kunchala Srinivasulu S/o. Raghavulu,
Janardhan Colony, Kandukur, Prakasam District.

….PETITIONERS

AND

1 District Collector, Prakasam Distriat at Ongole.
2 Revenue Divisional Officer, Kandukur, Prakasam District.
3 Mandal Revenue Officer, Kandukur Mandal, Kandukur,

Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other writ, order or direction decaling the proposed action of the respondents in cancelling the assigned pattas to the petitioners in respect of Sy.No. 297/13 to 15 of Kandukur (Janardhan Colony) as illegal arbitrary and unconstitutional and also to declare that the petitioners are the true title holders of the respective plots assigned to them, and pass such other orders as may deem fit.

Counsel for the Petitioner: MR.K.ANAND KUMAR

Counsel for the Respondent Nos.1to 3: GP FOR REVENUE

The Court made the following at the stage of admission :

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ORAL ORDER

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It is the case of petitioners that they were allotted house site pattas to an extent of 120 square yards each in Sy.No. 297/13 to 15 of Kandukur Village & Mandal, Prakasam District in the year 2000 and since then they have been enjoying the said property and they also approached District Collector for providing necessary funds under " Ambedkar Valmiki Housing Scheme" for construction of houses in the month of July-2003. While so, they were happened to see a news item in "Praja Sakthi" newspaper on 04.07.2004, stating that the Mandal Revenue Officer, Kandukur-third respondent is going to cancel the house site pattas, which were already issued to the petitioners on the ground that certain irregularities had taken place while issuing pattas. In response to the said statement, the petitioners filed this writ petition.

Having regard to the fact that the petitioners were granted house site pattas in the year 2000, without affording an opportunity of hearing they cannot be dispossessed from the land in question.

Accordingly, the respondents are directed not to dispossess the petitioners from the land in question. However, this order will not preclude the respondents from issuing a notice to the petitioners and calling for explanation. On receipt of the explanation, after such opportunity is given and if there are irregularities in allotment of house sites, it is open for the respondents to take appropriate action against the petitioners including that of cancellation of house site pattas.

Subject to above observation, the writ petition is disposed of. No costs.

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A.GOPAL REDDY,J

*TSNR/GHN

To

1 District Collector, Prakasam Distriat at Ongole.
2 Revenue Divisional Officer, Kandukur, Prakasam District.
3 Mandal Revenue Officer, Kandukur Mandal, Kandukur,

Prakasam District.

4. two CCs to the G.P for Revenue

5. Two C.D.Copies